

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DUNCAN J. MCNEIL,

Plaintiff,

v.

UNITED STATES, *et al.*,

Defendants.

Case No. C05-1758L

ORDER DENYING MOTION
FOR RECONSIDERATION

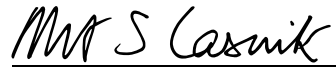
On November 3, 2005, the court denied plaintiff's motion to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915(g), which precludes a prisoner who brings three or more civil actions which are dismissed as frivolous, malicious, or for failure to state a claim from bringing any other civil action *in forma pauperis* unless he is in imminent danger of serious physical injury. (Dkt. #3).

Plaintiff now moves to modify the prior order, which the court construes as a motion for reconsideration. (Dkt. #5). Plaintiff, however, has not shown manifest error or new facts or legal authority, and he has failed to offer anything more than generalized assertions as to alleged imminent danger of serious physical injury. Finally, plaintiff requests a thirty day extension of time to present the merits of his claims. That request is premature, as plaintiff has not yet paid the necessary filing fee.

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1 Accordingly, plaintiff's motion for reconsideration (Dkt. #5) is DENIED.

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3 DATED this 16th day of November, 2005.

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7 Robert S. Lasnik
8 United States District Judge
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